

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 W, Closed Area No. 25-J, Eastern Farmers Island and Long Cove, promulgated on November 29, 1989, is repealed and replaced with the following rule:

TEXT OF RULE: 95.06 W, Closed Area No. 25-J, Eastern Farmers Island, South Bristol.

1. Effective immediately, because of potential microbiological contamination, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels taken from the shores, flats and waters of Farmers Island and the South Bristol shore between the following two lines: (1) a line beginning at the northeasternmost point of Farmers Island and runs in a southeasterly direction (about 275 yards) to the nearest point of land on the eastern shore of the river; and (2) a line that begins at the southernmost tip of Farmers Island and runs in a northeasterly direction (about 330 yards) to the point on the mainland that lies 200 yards south of the eastern end of the first line.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

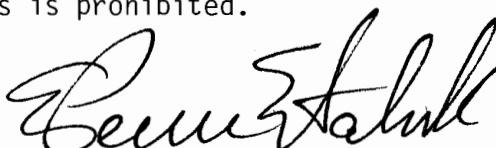
EFFECTIVE DATE: April 10, 1990

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LINCOLN COUNTY NEWS  
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STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources repeals the DMR Regulation 95.06 W, Closed Area No. 25-J, promulgated on November 29, 1989, and replaces it with a new emergency regulation. This new regulation decreases the size of the previous closure by opening Long Cove and the cove between Farmer Island and Long Cove. Department personnel have determined that the closed area contains licensed overboard waste discharges. The probability of malfunction of these systems pose a threat to the public health and consequently the harvest of clams, mussels, oysters and quahogs is prohibited.

  
E. PENN ESTABROOK  
Deputy Commissioner

